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Attorneys for Defendants MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.,
and LXS 200-610N U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE

IN THE DISTRICT OF UTAH - CENTRAL DIVISION

UNITED STATES DISTRICT COURT

GREG STRADLING
FAY STRADLING,

Plaintiffs,

v.

SUN AMERICAN MORTGAGE
COMPANY; MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.;
("MERS"); LXS 2006-ION U.S. BANK
NATIONAL ASSOCIATION, AS TRUSTEE
("LXS"); AND JOHN DOES 1-10,

Defendants.

OPPOSITION BY DEFENDANTS
MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC., and
LXS 200-610N U.S. BANK NATIONAL
ASSOCIATION, AS TRUSTEE TO
PLAINTIFFS' MOTION TO AMEND
COMPLAINT

Case No. 2:09-cv-01026

Judge Ted Stewart

Defendants Mortgage Electronic Registration Systems, Inc., and LXS 200-610N U.S. Bank National Association, as Trustee (collectively "Defendants") submit this Opposition to Plaintiffs' Motion to Amend their Complaint, filed as docket number 26. Plaintiffs have filed the subject motion in connection with their motion for relief from judgment, apparently in an attempt to

establish that they could state a claim as a matter of law if the Court vacated the judgment and allowed its filing. This matter has already culminated in a “Memorandum Decision and Order Granting Motion to Dismiss and Denying Motions for Joinder” (“Memorandum Decision”). This Memorandum Decision denied Plaintiffs’ previous “Motion to Amend/Correct Amended Complaint” on futility grounds. Plaintiffs have not alleged any new facts or legal theories in the proposed Second Amended Complaint. Defendants therefore request that Plaintiffs’ current Motion to Amend Complaint be denied in all respects.

Dated: May 26, 2011

PITE DUNCAN, LLP

/s/ Spencer Macdonald
PETER J. SALMON
SPENCER MACDONALD
Attorneys for Defendants LXS 2006-ION U.S.
Bank National Association, as Trustee and
Mortgage Electronic Registration Systems,
Inc.

CERTIFICATE OF SERVICE

I, the undersigned, declare: I am, and was at the time of service of the papers herein referred to, over the age of 18 years, and not a party to this action. My business address is 4375 Jutland Drive, Suite 200, P.O. Box 17935, San Diego, CA 92177-0935.

I hereby certify that on May 26, 2011, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing.

I further certify that on May 26, 2011, I served the attached document via First Class U.S. Mail on the following:

| | |
|--|---|
| Greg Stradling 971 East Comanche Circle Washington, UT 84780 <i>Plaintiff in Pro Se</i> | Fay Stradling 971 East Comanche Circle Washington, UT 84780 <i>Plaintiff in Pro Se</i> |
|--|---|

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 26th day of May 2011, at San Diego, California.


MARSHA L. JOHNSON